

Notice of Allowability	Application No.	Applicant(s)	
	09/629,022	DO ET AL.	
	Examiner	Art Unit	
	Kalimah Fernandez	2881	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE amendment filing received on 4-6-05.
2. ☒ The allowed claim(s) is/are 20-27.
3. ☒ The drawings filed on 31 July 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Allowable Subject Matter

1. Claims 20-27 are allowed. The following is an examiner's statement of reasons for allowance: the prior art of record fails to teach or fairly suggest the claimed invention.
2. Specifically, no teaching or obvious suggestion was found of the limitation " a plate having a first port and a second port extending through a thickness thereof the first port spaced apart from the first lens to receive the first electron beam passing through the first lens, the second port spaced apart from the first port and from the second lens to receive the second electron beam passing through the second lens; a third lens configured to focus the first electron beam on a first position surface and positioned to receive the first electron beam passing through the first port; the fourth lens configured to focus the second electron beam on a second position surface and positioned to receive the second electron beam passing through the second port; and a support configured to engage the semiconductor device and located to receive the first and the second electron beams, at least one of the support and the sources of electrons being movable relative to each other" in combination with the other recited limitations of claim 20.

3. For example, US Pat No. 6,734,428 issued to Parker et al exemplifies the current state of the art. Parker et al teach multiple electron sources, a plate (250), and individual lens systems for each beam. Parker et al, however, is disqualified as prior art, because the present application's effective filing date is 5-22-1998 based on its continuation status.

4. US Pat No 3,715,580 issued to Maekawa et al illustrates the closest prior art, wherein Maekawa et al teach two sources, but fail to teach a single plate having a first and second plate, and the prescribed individual lens systems for each beam.

5. Lastly, US Pat No. 5,834,783 issued to Muraki et al is indicative of the field of qualified art, wherein Muraki et al teach multiple sources and individual lens systems, but fail to teach the recited plate and arrangement described in applicant's reply dated 4-6-05. (See pgs.6-7).

6. Claims 21-27 are allowed by virtue of their dependency.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Pat No. 6,014,200 issued to Sogard et al; US Pat No. 4,390,789 issued to Smith et al; US Pat No. 4,694,178 issued to Harte; US Pat No 6,593,584 issued to Krans et al; US Pat No 6,465,783 issued to Nakasuji; US Pat No 5,557,105 issued to Honji et al; and US Pat No 4,209,702 issued to Shirai et al are considered relevant to the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kalimah Fernandez whose telephone number is 571-272-2470. The examiner can normally be reached on Mon-Tues 6:30-3:30; Wed-Thurs 8-5 and Fri. 9am-6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Lee can be reached on 571-272-2477. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KF


JOHN R. LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800